
RAILWAYMEN'S
MUTUAL AID SOCIETY.
(EUSTON STATION)

N.U.R. Executive Decision No. 1207
and other decisions leading to the break
with the N.U.R. and resulting in the
formation of the above Society.

REPORT AND STATEMENT OF FACTS OF FLYNN CASE AND SUBSEQUENT EVENTS

TO BRANCHES AND MEMBERS.

Fellow Members,

In defence of my colleagues and self I am obliged to use this method in which to get our case to the **membership.**

Having heard the report of my successor to the 1948 Annual General Meeting arising from my resignation after four days at Conference I and my colleagues are satisfied that the A.G.M. delegates did not have from the General Secretary the report of the whole Flynn case and the subsequent events arising from it as per N.E.C. decision No. 1,207, and supplemented by the District Organiser to the Members when on Strike, (i.e. call off the strike and get back to normal work, which would enable myself as the elected delegate for Group No. 70 to attend the A.G.M. where the Flynn case would be fully discussed together with the subsequent events and a decision given.)

Before giving the case I would like to make a few observations arising from the A.G.M. report, so that the membership will be in the position to judge the case and the actions of the N.E.C. and G.S. also A.G.M. decision on item No. 109a.

We are told that the General Secretary gave the Governing Body a **comprehensive** report, speaking without notes for between 30 and 45 minutes, he the G.S. was very hesitant, especially when he came to a certain part of the case, in fact it was said that at times he hesitated for nearly one minute on each occasion that he came to the particular point.

The reason why the G.S. adopted this attitude, I suggest, was (and I will try and prove in this report) that he did not know the case, further it was not possible for him or any other person to

give the whole case in 30 to 45 minutes. I beg to suggest that the G.S. gave congress a very brief report from 9th April, 1948, and not from the original date when this case was opened through the member's branch which was 1944.

We are amazed that the 1948 Governing Body of this Great Union should have so lightly passed over such an important item concerning not only the **Euston and St. Pancras Pcl. Vanmen**, but three Officers and 2,300 members of this branch and one officer of another branch.

Flynn entered the Railway Service as a vanguard at Euston and through the Promotional Scheme obtained the position of M.P.V. at Euston. He was therefore fully conversant with the procedure operating within the department, further he (Flynn) in 1934 was successful in getting a resolution carried, instructing the L.D.C. demanding that L.M.S.R. Sectional Council No. 3 are **not** to interfere with the Internal Workings of the Pcl. Cartage Dept. which had been in operation and working to the satisfaction of the Staff and Management prior to the introduction of our machinery.

In 1942 a vacancy was advertised for a Pcl. Foreman at Euston, applied for and conceded to Flynn. He having operated the job for two years, became dissatisfied arising from the changing of his staff from British to Italian Labour which in effect altered his financial position and *he applied* to be transferred back to his former department (Pcl. Cartage). This was conceded and on returning he took up his position as M.P.V. and became the junior man for internal working. (The same as applied to all other men returning at their own request.)

He placed his case before his branch who sent it to S.C. No. 3 from which S.C. Minute No. 36 emerged. This decision was not contested by the staff, as we concurred with it, Flynn still retained his seniority for Promotional purposes. (It must be remembered that when Flynn left the Department all Vanmen behind him were stepped up.) So, on his return he desired to push them all back. Further, while his case was receiving consideration by S.C.

he was moved by the Management to St. Pancras to fill Sick Vacancies followed by Holiday Relief where he remained for nearly 18 months. The St. Pancras Staff then pressed the Management for his return to Euston, as it was claimed he was preventing one of their Staff from relieving on day work.

On his return to Euston (Nearly two years after) he again went to his branch and claimed that the S.C. No. 3 minute which had been made two years previously was not being given effect to. The branch again sent his complaint to the Council, and that body, contrary to the constitution of our Machinery dealt with the case again and from which emerged minute No. 28, which is minute No. 36 with three additional words added ;—i.e. **MINUTE 36—“It was agreed that Flynn is entitled to retain his original seniority date as Motor Pcl. Vanman.”**

Minute No. 28 (For all purposes).

This minute was and is being interpreted by S.C. and the N.E.C. to over-ride the established Internal workings of the Parcel Cartage Department operating at St. Pancras and Euston.

The staff would not accept this interpretation, which, remember, had been brought about contrary to the Policy of our accepted Machinery.

Further meetings were held with the Management, H.O. Reps, S.C. and L.D.C. Reps. both sides, and before agreement could be reached at this meeting H.O. Rep. requested the Companies Chairman to allow our side to withdraw, which was agreed, and our deliberations were continued at Unity House, and arising from which the H.O. Rep. suggested arranging further meetings with the full Council **on condition that we accepted their decision.** This we, the L.D.C. could not accept without the authority of the Staff, and they (the Staff) after consideration rejected the **Condition.**

The matter was then referred to the N.E.C. who in turn referred it to the Traffic Sub. They investigated, held further meetings with S.C. and L.D.C. Reps, and reported and advised the N.E.C. the terms of their recommendations which were endorsed. When reported to the Staff it was

rejected, and Work to Rule decided upon, and which continued to operate until the Company requested H.O. to intervene. The N.E.C. requested the action of the Staff to be called off and they would arrange for further discussions to take place. This was agreed to, and meetings were held with the N.E.C. Traffic Sub and S.C. Reps. and the outcome of these deliberations brought a further recommendation from the Traffic Sub. and with which the S.C. Reps. concurred. The L.D.C. informed the meeting that they could not accept on behalf of the Staff. The N.E.C. accepted the recommendation by decision, and the Traffic then took full command of the position and Six members attended a Mass Meeting of the Staff and explained the reason for their decision. The L.D.C. Chairman moved the acceptance which was rejected, followed by a direction to the L.D.C. made in the presence of the Sub Committee, (That should the Company place Flynn in a day turn of duty a meeting of the Staff was to be immediately called.) The Company had been advised of the N.E.C. decision, (Flynn to be given the next Day Turn Duty that became vacant). The Company were also advised of the decision of the Staff, and informed that should they place Flynn in a Day Turn of Duty contrary to our accepted practice Labour Trouble would follow.

The Company at a later date advised H.O. that they proposed to place Flynn in a Day post, and also called their attention to the Staff decision.

The N.E.C. considered the Company's notification and from which they made decision Nos. 2,577, 2,792, 2,793. (and E.C. Decisions Nos. 673, 734 and 899). A Mass meeting of the Staff considered N.E.C. Decision No. 673, with Flynn and Walker, Secretary K.T. No. 1 in attendance, and after two very heated meetings a resolution was unanimously carried giving Flynn three days in which to consider and decide, either to accept the Working Arrangements within the Department of which he had always been a party or removing from the Department. Flynn immediately consulted his Secretary (Walker) and then requested the Chairman to allow him to address the meeting

when he told them that he had decided to accept the Policy Operating in the Department, and also ask that he be allowed to accompany the L.D.C. Reps. to the Management so that he could advise them personally of his decision. This was agreed, and he signed a statement of his acceptance (without consultation or advice from either side of the Committee). This was considered by the Staff to have closed the case and when Flynn's action was reported to the adjourned meeting, a vote of thanks was tendered to him.

Imagine my amazement when about a week or so later, I (as Branch Secretary) attending H.O. to give and obtain information on another matter concerning another Department who are Members of my branch, was questioned on the Flynn case by the Manager of the Movements Dept., although I had advised them by letter of the latest and final developments of the case. He had with him a Clerk who I observed taking notes of my replies to the questions, and I need hardly say I was shocked at such treatment and made my feelings known in no uncertain manner, especially when the Manager told me it was his opinion that I had used force to make Flynn sign a statement against his wish. Such a remark convinced me that he the (Manager) had obtained information of a sort from another source and I made a challenge to that effect. But he (the Manager) would not commit himself, and quickly apologised for offending me. I informed him that I did not mind who had been giving him information, neither was I concerned about the shorthand notes that had been taken, all statements and replies that I had made, could and would be repeated by me if necessary.

Following this, and on the 31st May I was summoned to Unity House to see the General Secretary, but the G.S. passed the papers to his Asst. Secretary although he, (the Asst. Secretary) had previously said he was not going to burn his fingers, let those who had been dealing with it, continue to do so. Why these remarks if something was not already known? Anyway, he saw me, and most strange, he had with him the same **Note taker** as

was present at my previous interview with the Office Manager. During the interview, one question that was put to me with emphasis was **“Did I or anyone at any time use force to compel Flynn to make a signed statement?”,** wherein he was prepared to accept the policy of the Department? At the conclusion of the interview the Asst. G.S. and I were told by the **note taker** that my statement was with very little exception the same as that I had made at my previous interview. I accepted his remarks as a compliment, but assured him that it was not usual for me to make incorrect statements, and I was now satisfied that my views of the previous interview with the Manager of the Movements Department, and my outburst were justified. I am satisfied that the purport of my interview was duly reported to the N.E.C. which brought forth Decision No. 899, May.

As I had been elected by the 1947 A.G.M. to the Sub-Committee to draw up new Machinery of Negotiations I was working at Unity House, and on the 3rd June at about 12 o'clock noon I was handed personally by the G.S. a letter containing N.E.C. Decision No. 1,207 which they had that morning agreed to, and which is as follows :—
N.E.C. Decision No. 1,207.

“That this E.C. decide to inform the Officers of the L.M.R. the Officers of E.T.BCH, and the L.D.C. at Euston, that M.P.V. Flynn shall retain the post that this E.C. decided he was rightfully entitled to. Unless we have an assurance WITHIN 24 HOURS that no such action will be taken in any way whatever, to obstruct the normal working of the Depot and the proper carrying out of the duties allocated to Flynn, this E.C. decides to immediately withdraw all official recognition of the present L.D.C. members and remove them from any office they may hold in the union or to which they have been nominated, and any property they hold belonging to the Union shall be

collected from each individual immediately. Such persons suspended shall not be allowed to again take office until the A.G.M. has given a decision.

I told the G.S. that it was impossible for me to give effect to the decision, even if I wished to, trying to give my reasons, but his only reply was that he was not prepared to discuss it with me. After lunch I phoned the President, he also would not discuss the matter with me. I told him I would not leave Unity House, because if I did, and made contact with any of the staff before seeing my L.D.C. colleagues, I should be charged with inspiring to reject the **E.C. Dictatorial Decision**. I advised him that I proposed to try and contact the L.D.C. by phone and get them to Unity House, which I was successful in doing. Having made them conversant with the E.C. decision they requested me to seek an interview for them with the G.S. or his Rep. The Acting Asst. to G.S. received us, and after my Colleagues had made their protest at such **dictatorial treatment** and reiterated that it was not possible to give effect to the decision, they were pressed by Bro. P. to convene a Meeting of the Staff by Friday night, and he in turn would suggest to the G.S. the withholding of operating E.C. decision until after the Meeting. This they agreed to do, but not with my approval. I told my colleagues that I admired their courage in accepting to hold Meeting of Staff, knowing the implications and what would be said by the E.C. and G.S. assuming an unsatisfactory decision was carried. After my colleagues had said all they desired, I considered it was time I made my position clear. I told Bro. Pounder that he had not the authority to extend the E.C. time limit, neither the G.S. therefore as far as I was concerned I would not attend the Staff Meeting, further he could tell the G.S. to arrange to have all Union Property collected from my home by 12 o'clock noon next day, and **WHICH WOULD NEVER BE PICKED UP AGAIN BY ME**. Of course, all the usual soft soap followed but to no avail where I was concerned.

It so happened, the General Secretary came through on the phone and desired to speak to Stevens, but not in the same office that we were in. Pounder at once said he wanted to speak to the G.S. and left the Office to do so. On his return, he informed us that the G.S. had endorsed his action in extending the time limit. There was no purpose in further argument, so we left and I, together with one of my L.D.C. colleagues went to our Branch Meeting. I informed the members of the position and placed the N.E.C. decision 1,207 before them, (This I would like to point out was the first time that the matter had been made branch business, as on all previous occasions the correspondence had been referred to the L.D.C. of which I am Secretary). The members against my wish, decided to instruct the Branch Chairman (A.C. and W. Supervisor) to lead the Branch Committee as a deputation to H.O. the following morning Friday June 4th. I went to H.O. to advise the President that in view of the N.E.C. decision, I must accept my suspension from the Sub Committee of Machinery of Negotiations, but before this could happen, I was sent for by the G.S. On entering his Office I found he had with him Pounder and Stevens. He the G.S. informed me that he had been advised that I was not attending the Staff meeting that was being held that evening, and he as Chief Officer was instructing me to attend, I advised him that I would not do so, further I required him to arrange to collect the Union property from my home. I do not think it will assist by describing all that was said, suffice to say that I informed the G.S. I like him had no desire to argue with him, but that there was a deputation down stairs of nearly 60 Branch Committee Reps.; he had better try and argue with them. This he would not do, and directed Stevens to deal with them. As he, Stevens was unable to satisfy them after spending all morning with them, he sent for the President and G.S. They arrived at about 1 o'clock. I had not taken part in these discussions, and had no intention of doing so. At about 2.45 p.m. I was sent for, for what reason I had no idea, unless it was for me to hear the G.S. contradict all that he had previously

said, when he was asked by the Branch Chairman to request the N.E.C. to withhold operating their decision against Branch Officers what ever they might do with the L.D.C. reps. The reply from the G.S. was, that he had no authority to interfere with an N.E.C. decision, as he was only a paid officer. (This in view of his previous statement and action) The members became very annoyed, and some started to throw their contribution cards at him, he then said he would know how to deal with them at a later date. How he proposed to do that I fail to know, as the bulk of them are either or fast becoming nons. The Committee withdrew without having obtained any satisfaction.

That evening the Parcel Cartage Staff held their meeting and decided to work to rule, and which developed into a strike, with a further deputation waiting upon the G.S. but to no avail.

A further meeting of the Staff was called to enable Organiser Matheson to meet the members. He pleaded with them to resume normal work which he assured them would enable their representative to the A.G.M. (myself) to attend, in face of the N.E.C. decision 1,207 June 3rd so that the whole case and subsequent happening could be dealt with to the satisfaction of them all. (What a sell). The staff fell for this against my wishes and decided to resume normal work.

On arrival at the A.G.M. on Monday the first day of Conference, I at once gave the G.S. in accordance with the constitution and rules of this Union a notice ; that I wished to move an appeal as instructed by my branch against E.C. decision 1,207. This was referred to S.O.C. and on Tuesday lunch time I asked the President when the Flynn case was likely to come on. He then questioned me about the appeal that was before S.O. and said he would have to give further consideration to the matter, and he would have another word with me later.

On the following morning, Wednesday, Walker delegate Group No. 72 showed me a note which he was putting up to the President, informing him that he was *not moving* Item No. 109 standing in the Name of K.T. No. 1. I wrote the President infor-

ming him of my knowledge, and advising him that I wished to move item 109, as I had instructions from a branch in my group to do so in the event of K.T. not moving.

On Wednesday afternoon I was sent for by S.O.C. who informed me that I was not going to be allowed to move the appeal against E.C. decision 1,207. The reason being, that there would be a further write up in the September Quarterly minutes, therefore only appeals against June E.C. minutes could come before conference, (Remember after the assurance given by the Organiser and the further E.C. decision 1,232). I reminded S.O. Bowers and his Committee and G.S. of the two page supplementary of item No. 109 which was in the hands of the delegates, (Bowers, Chairman of S.O. said this was a mistake, and they were thinking of withdrawing it, I challenged their authority to do so. I followed by using all the facts and arguments that were possible. I had started to make some impression on some members of S.O. and it was moved by and seconded that I be allowed to move the appeal and supported. It was then detected by the G.S. that the position had changed in my favour, when he at once, together with Bowers asked me to withdraw and so allow them to make their decision in secret. I withdrew, and when S.O.C. 2nd report came before Conference, you can understand my amazement when I found that they (S.O.) were recommending that I *not* be allowed to move the appeal.

Worse was to come, the President in accepting an amendment referring the report back with special reference to item No. 5. which was to be moved by delegate group 76. The president passed my amendment which was similar and desired to reconsider item No. 6 which was dealing with 1,209 and told delegate 76 that he could not allow him in moving the reference back to direct any particular item, but must refer deal with the whole report. The delegate accepted his ruling. I immediately challenged his ruling, and charged him with taking advantage of a new delegate. But all my arguments were to no avail and with half the A.G.M. delegates

attending conference for the first time, they were prepared to be guided by the Platform, therefore the report was accepted. Although I had warned them that I was keenly interested, and that I had put up a similar amendment, and had tried to develop my reasons dealing with the Flynn case, but the President eventually put me down with the bell.

Now on the Thursday afternoon I was again sent for by the S.O.C. this time to be told by **Bowers**, Chairman of S.O. that I was not to be allowed to move item 109, as Walker delegate 72 had *withdrawn* the item, this was the limit ; I asked them if I could not now believe my own eyes, I had been shown by Walker his notice to the President, wherein he was *not moving* item 109, and I suggested that between Tuesday and Thursday afternoon they had connived with Walker to alter his original note from not moving to **withdrawing**. Even allowing for that, I claimed he had no right unless he had authority from his branch to withdraw the item. Bowers' reply was that as group 72 was composed by one branch K.T. they S.O. were allowing him the right to withdraw the item. I again adduced all the relevant points and arguments that were possible, but again with no effect. And although I moved the reference back, it was lost. I was more than satisfied that the members of my group had had not only a very raw deal, but I had experienced the worst form of trickery that was possible, and decided that to continue as a delegate was of no advantage to my group, further I have never yet accepted a position of trust for the purpose of making money and a holiday.

I wrote to the President informing him of my decision. By this time conference was adjourned, and it is most strange that a number of delegates came to me and offered sympathy for the treatment, (Remember, I had not spoken to anyone of them) I suggest they had observed the trickery themselves but without challenge. I told them they were too late, I had made my decision, and showed them the letter to the President containing my decision, a delegate snatched it from me and they begged me to think it over for the night, and have a chat in the

morning, but I replied that my decision had been made, and I had no intention of altering it.

I walked to Conference the next morning (Friday), but did not take my seat, so assume I was marked absent. When I arrived I was seen by members of the reception committee who spoke to me. I learned that my letter that had been taken from me the previous evening had not been given to the President, so when it was learned by Bowers that I was in the Hall, he (Bowers) immediately asked the President where the Delegate of Group 70 was, and what he, the President proposed to do. This brought forth my letter which the delegate had been withholding and was handed to the President, and I am informed that he referred it to S.O. They sent for me, and at first I declined to see them, as I considered there was no purpose in doing so, but being prepared to face any issue however distasteful, I went. Bowers said that the President had ordered that I take my seat or give a clearer indication of my intentions. My reply was that my note to him was very clear, further, it was not my practice to fool my fellow delegates, neither was I like him or his associates, crafty, when I made a decision, I meant it. I asked why he and the G.S. were not honest and straight enough to say what they wanted, as they had not the courage to tell me I would tell them, they wanted the word "Resignation," "Yes," said the G.S. and Bowers, I said "that was easy," and the G.S. passed me a writing pad. On being assured by the G.S. that he would arrange for the position to be filled. I satisfied them with or, I hope I did, my resignation, which was received by S.O. with relief and on being placed before Conference with regret. And so ended my association with the 1948 A.G.M. which was followed by my resignation as delegate for District No. 6 to the 1948 Margate Trade Union Congress.

Signed.

J. E. RICE.